

**REMARKS**

As noted above, Applicants gratefully acknowledge the indication of allowability of claims 3-8 subject to being rewritten in independent form. While the Office Action summary indicates claims 4-8 as being allowable (i.e., merely objected to), the body of the Office Action (page 3) indicates claims 3-8 as being allowable. Because the Office Action does not specify a rejection of claim 3, it is assumed that the summary is erroneous, and that claim 3 is allowable as well. If Applicants are in error in this respect, clarification is kindly requested.

In the meantime, without acquiescence in the grounds of rejection or prejudice to pursue at a later time by continuation application or otherwise, and merely to expedite prosecution of this application, Applicants have rewritten claim 3 in independent form, incorporating all of the limitations of independent claim 1, and accordingly claim 1 has been canceled. Applicants have also amended claims 2, 9 and 10 so as to depend from (allowable) claim 3. It is believed that all of the pending claims are thus presently in condition for allowance.

**Reservation of Right to Challenge Cited Patent**

While Applicants have chosen to make amendments to the claims herein for the purposes of expediting prosecution, this should not be construed as an admission that the cited patent constitutes prior art as against the claimed invention or that it provides an enabling disclosure. Applicants reserve the

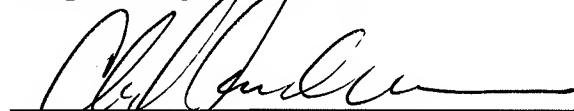
right to antedate the cited patent reference pursuant to the appropriate rules, laws, and regulations if deemed necessary to do so, and also reserve the right to challenge the sufficiency of the cited item at a later point in time, including in any post-issuance proceeding or suit, if appropriate.

**Request for Allowance**

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any unresolved issue remains, the Examiner is invited to contact the undersigned by telephone to discuss those issues so that the Notice of Allowance can be mailed at the earliest possible date.

It is believed that the instant application is in condition for final allowance, and, accordingly, issuance of a notice of allowance is earnestly solicited.

Respectfully Submitted,



Christopher A. Vanderlaan  
Registration No. 37,747

Dated: April 18, 2008

**IRELL & MANELLA LLP**

1800 Avenue of the Stars, Suite 900  
Los Angeles, CA 90067  
Telephone: (310) 277-1010  
Facsimile: (310) 203-7199